

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

<b>BELAIR MOTORS, INC.,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>2:04-cv-1924</b>
<b>v.</b>	)	
	)	
<b>UNIVERSAL UNDERWRITERS INSURANCE COMPANY,</b>	)	
	)	
<b>Defendant.</b>	)	

**ORDER OF COURT**

This action was removed from the Court of Common Pleas of Allegheny County on December 23, 2004, and was referred to United States Magistrate Judge Lisa Pupo Lenihan for pretrial proceedings on January 3, 2005, in accordance with the Magistrates Act, 28 U.S.C. §636(b)(1) and Rules LR 72.1.3 and LR 72.1.4 of the Local Rules for Magistrates..

The magistrate judge's Report and Recommendation (Document No. 7), filed on July 26, 2005, recommended that Defendant's Motion to Dismiss (Document No. 4) be granted. Service was made on all counsel of record. The parties were permitted ten (10) days from the date of service to file written objections to the Report and Recommendation. Plaintiff filed objections on August 4, 2005 (Document No. 8). The objections, however, are found to be without merit. After review of the pleadings and documents in the case, together with the Report and Recommendation and the objections thereto, the following Order is entered:

AND NOW, this 15<sup>th</sup> day of August, 2005;

It is hereby **ORDERED, ADJUDGED and DECREED** that Defendant's Motion to Dismiss (Document No. 4) is **GRANTED**.

It is further **ORDERED** that the Report and Recommendation (Document No. 7) of Magistrate Judge Lenihan, dated July 26, 2006, is adopted as the opinion of the Court.

BY THE COURT:

s/ Terrence F. McVerry  
United States District Court Judge

cc: United States Magistrate Judge Lisa Pupo Lenihan

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